

CLONCURRY SHIRE

**LOCAL LAW No. 5 9
(CLONCURRY AERODROME MANAGEMENT)**

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PART I – PRELIMINARY

1. Citation

This local law may be cited as Local Law No.5 (Cloncurry Aerodrome Management).

2. Objects

The objects of this local law are:-

- (a) To provide for the use of the aerodrome by the public such that their rights of entry, use of facilities, and maintenance of aircraft and public safety is consistent with the rights, expectations and safety of the local community.
- (b) To ensure that persons use the aerodrome in accordance with notices, requirements, rules and regulations in an orderly and safe manner.
- (c) To provide certain powers for authorised persons to ensure the safety and amenity of the public.
- (d) To provide for the removal of obstacles and hazards affecting, or likely to affect the safe operation of aircraft in the vicinity of the aerodrome.
- (e) To provide for the application of fees and charges for the use of the aerodrome's facilities.
- (f) To provide for the local government's liability arising from the use and operation of the aerodrome.

3. Definitions

In this local law:-

'aerodrome' means the Cloncurry Aerodrome.

'aerodrome manual' means the Aerodrome's operational manual prepared by the local government from time to time in consultation with airport users and aviation safety and emergency services.

'apron' means an area at the aerodrome designated by the local government for the parking of aircraft including, but not limited to, the parking of aircraft for the purposes of loading and unloading of freight, mail and cargo, and for the embarkation or disembarkation of passengers.

'airside' means any area of the aerodrome where aircraft movements are conducted and shall include:-

- (i) all runways, taxiways, aprons and areas on the operational side of any security fence;
- (ii) any buildings and other structures on the operational side of any security fence;
- (iii) areas designated as such by any signage;
- (iv) any areas provided for the storage of aviation fuels; and
- (v) any area set aside for radio aids, communication, or ground equipment.

'authorised person' means the persons from time to time holding the following positions:-

- (i) Chief Executive Officer;
- (ii) Airport Manager;
- (iii) Airport Safety Officer;
- (iv) Airport Reporting Officer;

- (v) any person authorised in writing by the Chief Executive Officer to exercise the powers of an authorised officer under this local law.

'civil aviation law' means a law made under an Act enacted by the State and Commonwealth Parliaments in relation to the use and operation of an aerodrome and its airspace requirements.

'civil aviation safety law' means a law made under an Act enacted by the Commonwealth Parliament in relation to aircraft safety at, or in the vicinity of, an aerodrome.

'landside' means any part of the aerodrome which is not airside.

'lease' includes a sub-lease.

'local government' means the local government of the Shire of Cloncurry.

'movement area' means any part of the aerodrome that is used for the surface movement of aircraft, including manoeuvring areas and aprons.

'obstacle limitation surfaces' or *'OLS'* means the series of surfaces established in accordance with civil aviation safety laws in the airspace around the aerodrome that define the height above ground level to which objects may protrude, and an object which projects through the OLS becomes an obstacle to the flight of aircraft around the aerodrome.

'obstacle' means all fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are on an area intended for the surface movement of aircraft on the aerodrome or that extend above the defined Obstacle Limitation Surfaces (OLS) around the aerodrome.

'operator' means a person, organisation or enterprise engaged in, or offering to engage in, the operation of aircraft, including all general movements of the aircraft.

'parking area' means a landside area indicated by a sign or notice displayed to be an area in which a person is permitted to park a vehicle.

'premises' means a landside area specified in a lease, licence or authorisation granted by the local government.

'relevant person' means:-

- (a) in relation to an aircraft:-
- (i) the owner, operator, hirer or pilot in command of the aircraft; or
 - (ii) the person apparently in charge of the aircraft at the time of organising the activity at the time a direction is given to the person under the local law.
- (b) in relation to an activity, the person apparently in charge of organising the activity at the time a direction is given to the person under this local law.

'road' means a road, street, thoroughfare or place that is open to, or used by, the public for passage of vehicles and that is not within an airside area.

'the owner', in relation to a vehicle:-

- (a) in the case of a vehicle registered under a law of a State or Territory relating to the registration of vehicles – means the person in whose name the vehicle is registered; or

- (b) in the case of any other vehicle – includes every joint owner or part owner of the vehicle and any person who has lawful possession and use of the vehicle under or subject to a hire-purchase agreement or a bill of sale,

at the material time.

'*undesirable person*' means a person, whether or not a passenger or intending passenger of an aircraft, who is:-

- (a) considered by an authorised person on reasonable grounds to be intoxicated or so under the influence of intoxicants or drugs as to make the person's presence on the aerodrome dangerous to themselves, other person, or aircraft safety; or
- (b) considered by an authorised person on reasonable grounds to have committed or to be committing an offence upon the aerodrome; or
- (c) indulging in unruly, obscene, offensive or threatening behaviour towards another person.

'*vehicle*' means a vehicle within the meaning of the Traffic Act 1949.

4. Application of local law

This local law is in addition to, and does not derogate from:-

- (a) laws regulating the use or development of land in the area in which the local government has jurisdiction;
- (b) civil aviation laws; or
- (c) civil aviation safety laws.

PART 2 – USE OF THE AERODROME

5. Entry on aerodrome

- (1) Subject to compliance with this local law, members of the public and their vehicles may enter upon the landside and airside areas of the aerodrome.
- (2) Subject to compliance with this local law, civil aviation laws, civil aviation safety laws, and any specific permits or instructions issued by the local government or an authorised person, members of the public may operate aircraft at the aerodrome.

6. Entry and use on airside

Entry to and use on airside areas of the aerodrome is confined to the following persons and vehicles:-

- (a) licensed air crew and their students;
- (b) aircraft maintenance personnel;
- (c) aircraft and ground installation service personnel in the ordinary course of their business;
- (d) aircraft passengers under supervision of and in accordance with any directions given by aircraft operators;
- (e) aircraft;

- (f) Police and emergency services personnel in the course of their duties;
- (g) Police, ambulance and fire vehicles in emergency circumstances and any other vehicles in accordance with the terms of a permit issued by council or the Chief Executive Officer in accordance with a local law policy;
- (h) any vehicle specifically authorised by an authorised person in accordance with any conditions of such authorisation; and
- (i) officers employed by the local government and their vehicles approved by an authorised person.

7. Use of vehicles

- (1) The local government may determine and include or notify, by means of permanently displayed signs or notices, with or without reference to lanes or marked areas and positions within the aerodrome, areas in which a person is, or is not, permitted to park a vehicle or cause a vehicle to stand.
- (2) Where a sign or notice of a kind referred to in sub-section (1) is displayed on the aerodrome, the sign or notice is, unless the contrary is proved, deemed to be in accordance with a determination under this local law and to be duly displayed in accordance with this local law.
- (3) A local law policy may require that approval be obtained for airside area vehicle access to the aerodrome.
- (4) The local government may, by local law policy, prescribe the conditions for vehicle access and use on an airside area, including the requirement to obtain a permit for such use.

8. Aircraft parking

The local government may designate by means of signs, notices or markers placed on the aerodrome, a part of the aerodrome to be an area for the parking of aircraft:-

- (a) that identify the part;
- (b) if the part is not to be used for all aircraft – that specify the kind of aircraft only that may be parked in the part; and
- (c) that specify that conditions (if any), including conditions relating to times and periods during which aircraft may be parked in the part.

9. Leases and licences

- (1) The local government may, by local law policy, prescribe conditions for the use of buildings, facilities and amenities at the aerodrome.
- (2) Nothing in this local law shall derogate from the provisions of any lease or licence granted by the local government.

10. Special events

- (1) The local government may, on any special occasion, special event or other event of public interest, make particular arrangements for the control of the aerodrome and may charge fees for participation and admission to any such occasion or event.

- (2) The local government may, by local law policy, prescribe conditions for the use of the aerodrome for any occasion or event mentioned in sub-section (1).

11. Aircraft operations

- (1) Subject to civil aviation laws and civil aviation safety laws, the local government may regulate the use of the aerodrome by aircraft in such manner as it sees fit. Such use may include but is not limited to:-

- departures; or
- landings; or
- servicing; or
- embarkation of passengers; or
- dis-embarkation of passengers; or
- transport of freight; or
- flying training operations; or
- activities specifically approved by the local government; or
- any combination of the above.

- (2) Without limiting the generality of the power of the local government to regulate the use of the aerodrome pursuant to sub-section (1), the local government may, by local law policy:-

- (a) exclude from the aerodrome, any particular aircraft or type or class of aircraft or activity where the local government is of the reasonable opinion that the operation of such aircraft or type or class of aircraft or activity is unduly noisy, dangerous, or not in the public interest;
- (b) exclude from the aerodrome, any particular aircraft or type or class of aircraft or activity where the local government is of the reasonable opinion that the operation of such aircraft or type or class of aircraft or activity would cause damage to movement area pavements due to the weight of the aircraft and/or its tyre pressure.
- (c) subject any activity on or based on the aerodrome to such conditions as the local government considers necessary and desirable including, but not restricted to, conditions as to noise attenuation and hours and duration of operation of the activity;
- (d) designate a part of the aerodrome where a particular activity may or may not be carried on;
- (e) collect fees and charges in accordance with Part 6.

- (3) The local government may, by local law policy, prescribe procedures to be complied with to preserve and enhance safety at the aerodrome.

Examples of safety procedures include:-

- *storage of fuel and refuelling of aircraft;*
- *movement of passengers and freight to and from aircraft;*
- *aircraft servicing and pre-flight testing;*
- *washing down aircraft and aircraft parts;*
- *storage, mixing and loading of crop spraying chemicals; and*
- *movement of aircraft on an apron.*

12. Closure of the aerodrome

The local government may, or in the case of emergency an authorised person may for the duration of the emergency, prohibit access to and use of the whole or part of the aerodrome by any persons, aircraft or vehicles at any time and for such times as considered necessary.

PART 3 – REGULATION OF USE OF AERODROME

13. Protection of private rights

Any right of use given by this local law shall not extend to any areas set aside by lease, license or other demise by the local government from time to time.

14. Compliance with signage

All persons must comply with any notices, requirements, rules and regulations displayed in any way by the local government including by word, symbol, or colour.

15. Prohibited conduct

Subject to compliance with this local law, civil aviation laws, civil aviation safety laws, and any specific permits or instructions issued by the local government or an authorised person, persons using the aerodrome shall not-

- (a) enter or be upon the aerodrome or any part of it unless permitted by this local law;
Maximum penalty – 20 penalty units
- (b) discharge a firearm:-
 - (i) on or over any part of the aerodrome; or
 - (ii) adjacent to the aerodrome in such a manner that the projectile discharged from the firearm travels over, or is likely to travel over, any part of the aerodrome.
Maximum penalty – 50 penalty units
- (c) light a fire on the aerodrome, except in compliance with section 16(3)¹.
Maximum penalty – 100 penalty units
- (d) be on the aerodrome whilst under the influence of intoxicants or drugs so as to make the person's presence on the aerodrome dangerous to themselves or to other persons;
Maximum penalty – 20 penalty units
- (e) bring any animal, or permit an animal to stray, onto the aerodrome;
Maximum penalty – 20 penalty units
- (f) do any act, matter or thing which would cause annoyance, disturbance, or offence to other users of the aerodrome or which would obstruct or unreasonably interfere with the rights of use of others;
Maximum penalty – 10 penalty units
- (g) deposit any rubbish other than in receptacles provided for that purpose;

¹ A person may not smoke on an aerodrome other than in those areas mentioned in section 16(3)

Maximum penalty – 5 penalty units

- (i) be upon or use the aerodrome after receiving notice from the local government, or an authorised person, prohibiting that person from further use or entry to the aerodrome;

Maximum penalty – 20 penalty units

- (j) park a vehicle, or cause a vehicle to stand, in contravention to the terms of a sign or notice displayed in accordance with this local law.

Maximum penalty – 20 penalty units

- (k) operate or use a vehicle on an airside area in contravention of a local law policy.

Maximum penalty – 50 penalty units

- (l) permit a vehicle owned or controlled by the person to be operated or used on an airside area in contravention of a local law policy.

Maximum penalty – 50 penalty units

- (m) park an aircraft on the aerodrome:-
- (i) except in a part of the aerodrome designated under this local law to be an area in which an aircraft, or a particular kind of aircraft only, may be parked; and
 - (iii) except in accordance with any specified conditions.

Maximum penalty – 50 penalty units

- (n) if a relevant person to whom a direction is given to remove an aircraft, without reasonable excuse, refuse or fail to comply with the direction.

Maximum penalty – 50 penalty units

- (o) other than as specified in sub-section (a) to (n) above, do any act or omit to do any act contrary to the requirements of this local law or any permit or undertaking.

Maximum penalty – 20 penalty units

16. Conduct of persons on airside

- (1) A person must not, without lawful authority or excuse:-
- (a) enter or remain on an airside area; or
 - (b) bring or leave any property or dangerous goods or materials on an airside area.

Maximum penalty – 50 penalty units

- (2) A person must not smoke or do any act to procure a naked flame within 15 metres of a stationary aircraft or in any non-smoking part of the aerodrome.

Maximum penalty – 100 penalty units

- (3) For the purposes of sub-section (2), a non-smoking part of the aerodrome is a part declared by the local government and upon which is posted a notice:-

- (a) that identifies the part;
 - (b) that indicates that smoking in the part is prohibited; and
 - (c) that purports to have been posted with the authority of the local government.
- (4) A passenger or intending passenger of an aircraft must, whilst on an airside area, obey the directions of an authorised person as to the passenger's conduct and movements.

Maximum penalty – 10 penalty units

- (5) A person lawfully entering or being on an airside area must:-
- (a) behave in a proper and becoming manner and so as not to cause annoyance or inconvenience to any other person lawfully on the airside area; and
 - (b) obey any direction reasonably given to the person by an authorised person for the purpose of preserving or promoting or facilitation the proper use and enjoyment of the aerodrome.

Maximum penalty – 10 penalty units

17. Safety requirements

- (1) An operator must adopt such practices of a reasonable nature as an authorised person directs for the purpose of:-
- (a) protecting members of the public; or
 - (b) protecting infrastructure; or
 - (c) ensuring aircraft are operated in compliance with civil aviation laws and civil aviation safety laws.

Maximum penalty – 100 penalty units

- (2) A person must comply with a safety procedure prescribed by a local law policy.

Maximum penalty – 100 penalty units

18. Use of buildings and facilities

A person must not:-

- (a) use any building or other structure, convenience or amenity provided on the aerodrome for any purpose other than that for which it is provided or intended, or
- (b) destroy, remove, obliterate deface, alter or otherwise interfere with any barrier, notice, sign or marking designed or intended for direction, guidance, warning or information of persons using the aerodrome.

Maximum penalty – 50 penalty units

PART 4 – AUTHORITY OF AUTHORISED PERSONS

19. Application of part

This Part sets out the powers of an authorised person with reference to Parts 2 and 3.

20. Authority with regard to offensive behaviour

- (1) An authorised person may direct any person who is on the aerodrome or an undesirable person to do any of the following:-
- (a) state the person's name and address;
 - (b) give evidence of the correctness of that person's name and address;
 - (c) not to enter upon the aerodrome;
 - (d) if already on the aerodrome – to leave the aerodrome or move to some other part of the aerodrome.
 - (e) remove any aircraft, vehicle or other property which appears to be under the control of that person from the aerodrome or move it to some other part of the aerodrome.
- (2) An authorised person may use reasonable force to prevent an undesirable person from entering upon the aerodrome or to remove an undesirable person from the aerodrome, as the case may be.
- (3) The person to whom a direction is given under sub-section (1) must comply with the direction.

Maximum penalty – 50 penalty units

21. Authority with regard to animals on the aerodrome

- (1) An animal unlawfully on the aerodrome may be removed from the aerodrome by an authorised person, or by a person acting under the direction of an authorised person².
- (2) An animal that is on or above the aerodrome and is considered by an authorised person to be a hazard to the safe operation of aircraft may be removed or chased from the aerodrome by an authorised person or by a person acting under the direction of an authorised person.
- (3) Where:-
- (i) an animal is to be removed from the aerodrome in accordance with sub-section (1); or
 - (ii) an animal is to be removed or chased from the aerodrome in accordance with sub-section (2),

an authorised person may, with such assistance and reasonable force as is necessary, remove or chase the animal from the aerodrome.

22. Authority with regard to aircraft parking

- (1) Where an aircraft is parked in contravention of sub-section 15 (m), an authorised person may, by notice in writing served on a person who is a relevant person in relation to the aircraft, direct that person on the terms prescribed in the notice to:-
- (a) remove the aircraft from the aerodrome; or

² This sub-section is subject to the provisions of the Guide Dogs Act 1972.

- (b) remove the aircraft to an area specified by the authorised person in the notice.
- (2) A notice referred to in sub-section (1) may be served:-
- (a) on a person:-
 - (i) by delivering it to the person personally; or
 - (ii) by leaving it at, or sending it by pre-paid post to, the address of the place of residence or the business of the person last known to the person serving the notice; or
 - (b) on a body corporate – by leaving it at, or sending it by pre-paid post to, the head office, a registered office or a principal office of the body corporate,
- but, if the person or body corporate cannot be found or the address of the person or body corporate is unknown to the authorised person, by affixing it to the aircraft to which the notice relates.
- (3) Where a person fails to comply with a direction given under sub-section (1) without reasonable excuse, an authorised person may, with such assistance and reasonable force as is necessary, remove the aircraft as required by the direction.

23. Authority with regard to conduct of persons on airside

Where:-

- (a) a person contravenes any part of section 16; or
- (b) any property, goods or materials are found in contravention of section 16, sub-section (1)(b),

an authorised person may, with such assistance and reasonable force as is necessary, remove the person, property, goods or materials from the aerodrome .

24. Authority with regards to aircraft operations

- (1) Where an aircraft is used, or an activity carried on, in contravention of section 5, sub-section (2) or section 11 or a local law policy made under this local law, an authorised person may, by notice in writing to a person who is a relevant person in relation to that aircraft or activity, direct that person within the time prescribed in the notice:-
- (a) not to operate such aircraft into the aerodrome; or
 - (b) to cease the use of such aircraft or activity; or
 - (c) to remove the aircraft from the aerodrome; or
 - (d) to remove the aircraft or activity to an area specified by the authorised person in the notice; or
 - (e) to pay the prescribed fees or charges; or
 - (f) any combination of (a) to (e) above.
- (2) a notice referred to in sub-section (1) may be served:-
- (a) on a person:-

- (i) by delivering it to the person personally; or
- (ii) by leaving it at, or by sending it by pre-paid post to, the address of the place of residence or business of the person last known to the person serving the notice; or
- (b) on a body corporate – by leaving it at, or sending it by pre-paid post to, the head office, a registered office or a principal office of the body corporate,

but, if the person or body corporate cannot be found or the address of the person or body corporate is unknown to the authorised person, by affixing it to the aircraft to which the notice relates.

- (3) A relevant person to whom a direction is given under sub-section (2) must not, without reasonable excuse, refuse or fail to comply with the direction.

Maximum penalty – 50 penalty units

PART 5 – PREVENTION OF HAZARDS TO AIRCRAFT

25. Application of part

This part applies to the removal of obstacles and hazards affecting, or likely to affect, the safe operation of aircraft in the vicinity of the aerodrome.

26. Notice to remove hazards

Where, on any land adjoining, or in the vicinity of, the aerodrome there is:-

- (a) a tree penetrating, or through further growth in a short period likely to penetrate, the OLS; or
- (b) an obstruction penetrating the OLS; or
- (c) a light exhibited which by reason of glare or by causing confusion or by interfering with the operation of aircraft, is likely to endanger the safety of aircraft; or
- (d) a presence of waste foodstuffs which constitutes, or is likely to constitute, such an attraction to birds as to create a hazard, or a potential hazard, to aircraft using or operating in the vicinity of the aerodrome,

the local government may, by written notice given to a person, being the owner or occupier of the relevant land or the person apparently in charge of a vehicle or obstruction to which paragraph (b) refers, require the person, within the time stated in the notice, to:-

- (i) in the case of paragraph (a) – remove or lop that part of the tree penetrating, or likely to penetrate, the OLS;
- (ii) in the case of paragraph (b) – remove, or dismantle to the extent necessary the structure or part of a vehicle, or cease the activity, so that the obstruction does not penetrate the OLS;
- (iii) in the case of paragraph (c) – extinguish the light or shield it to the extent necessary to remove any likely danger to the safety of aircraft operation and refrain from exhibiting the light, or any other light having similar effect, in the future;
- (iv) in the case of paragraph (d) – remove or effectively cover the waste, foodstuffs to eliminate any attraction to birds.

Example of obstructions in paragraph (b)

- *a structure, including a pole, or television or radio mast; or*
- *a part of a vehicle includes a crane, jib, or height extension apparatus; or*
- *a model aircraft, kite, balloon or other recreational flying object.*

27. Compliance with notice

- (1) A notice given under section 26 may be served personally or by post.
- (2) A person must not, without reasonable excuse, fail to comply with a notice given under section 26.

Maximum penalty – 50 penalty units

28. Local government's power to carry out work

If a person to whom a notice is given under section 26 fails to comply with the notice the local government may, in addition to any penalty imposed under section 27, enter the relevant land under section 1066 of the Local Government Act 1993 (Performing work for owner or occupier) and perform the work specified in the notice and, in the case of a vehicle, remove the vehicle or carry out work on the vehicle to the extent necessary so that no part of the vehicle penetrates the OLS.

29. Recovery of local government's costs

If the person who failed to comply with a notice given under section 26:-

- (a) is the owner of the relevant land, the amount properly and reasonably incurred by the local government in performing the work is recoverable (together with interest) by the local government under sections 1067 and 1068 of the Local Government Act 1993,³ or
- (b) is not the owner of the relevant land, the amount properly and reasonably incurred by the local government is recoverable by the local government as a debt from the person in default together with interest on the same basis as applied to an owner of land under section 1067 of the Local Government Act 1993.

30. Approval of temporary structures, etc.

- (1) A local government may permit a temporary structure, which does not require development approval under the *Integrated Planning Act 1997*, or a part of a vehicle to penetrate the OLS for a limited period of time provided proper regard is given to the safe operation of aircraft in the vicinity of the aerodrome during the period for which the permit applies;
- (2) A permit may be granted subject to conditions the local government considers to be reasonably necessary so as not to endanger aircraft safety.
- (3) a person to whom a permit is granted must not:-
 - (a) exceed the time limit for which the permit is granted; or
 - (b) fail to comply with a condition of the permit.

Maximum penalty – 50 penalty units

PART 6 – FEES AND CHARGES

31. Application of fees and charges

³ Section 1067 (Cost of work recoverable as a rate) and section 1068 (Cost of work a charge over land)

- (1) The local government may determine to impose fees and charges for each and every right of use of the aerodrome including charges for leasehold areas within the aerodrome.
- (2) The local government may, by local law policy, prescribe the scale of fees and charges for each and every right of use of the aerodrome.

32. Liability for fees and charges

The following persons are jointly and severally liable for payment of fees and charges:-

- (a) the person, company or body corporate exercising such right of use, such as leasehold areas and buildings within the aerodrome; and
- (b) in respect of any vehicle or aircraft:-
 - (i) the owner; or
 - (ii) the holder of any certificate of registration; or
 - (iii) the operator; or
 - (iv) the pilot in command.

33. Service of invoices

- (1) Service of any invoice under this part may be effected:-
 - (a) on a person:-
 - (i) by delivering it to the person personally; or
 - (ii) by leaving it at, or sending it by pre-paid post to, the address of the place of residence or the business of the person last known to the person serving the notice, recorded against a Certificate of Registration or disclosed in an electoral roll; or
 - (b) on a body corporate – by leaving it at, or sending it by pre-paid post to, the head office, a registered office or a principal office of the body corporate.
- (2) An invoice, served under sub-section (1) shall be deemed to have been served on the date which occurs three (3) business days after the date of posting.
- (3) The local government may determine to appoint a person, company or agent for the purpose of collecting any or all fees and charges.

34. Date for payment of fees and charges

The due date for payment of any fee or charge, under section 33, shall be the date which occurs fourteen (14) days after serving an invoice on the person to be charged, as determined under section 34, sub-section (2).

35. Penalty for late payment of fees and charges

- (1) A penalty shall be payable for late payment of a fee or charge.
- (2) The penalty payable shall be 1.5% of the unpaid amount of any fee or charge, compounding for each month or part thereof during which it is unpaid, from the due date of payment.

36. Recovery of unpaid fees and charges

Fees and charges shall be recoverable in any Court of competent jurisdiction.

37. Exemption from fees and charges

- (1) The local government may, by local law policy, exempt any person or organisation or any class of person or organisation from payment of fees and charges.
- (2) The application of fees and charges shall not apply to any operation of an aircraft used for emergency services purposes.

PART 7 – LIABILITY OF THE LOCAL GOVERNMENT

38. Liability in respect of operating conditions

- (1) Persons using the aerodrome shall indemnify and save the local government harmless from any loss or damage incurred by the local government as a result of a breach by such person of any rule, regulation, order, local law or recognised operating standard save and except to the extent that such loss or damage was contributed to by the local government.
- (2) Where a person offends against a civil aviation law, a civil aviation safety law, this local law, or any local law policy, the person is, in addition to any penalty prescribed for the offence, liable for any damage to the aerodrome arising from the offence and the cost of repairing the damage may be recovered by the local government from the person in a court of competent jurisdiction.
- (3) When exercising their rights of use of the aerodrome it is the responsibility of aircraft operators to make themselves aware of operational conditions.

PART 8 – MISCELLANEOUS

39. Aerodrome management

The local government may determine to appoint a person, company or agent for the purpose of managing the operation of the aerodrome.

40. Local law policies

The local government may make local law policies about matters which this local law specifically allows for the making of local law policies.